THE HON'BLE MR. JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.13198 of 2007

Date:19.11.2007

Between:
Sri K.Rayapa Raju and another.

...
Petitioners

AND
The Superintending Engineer, Roads and
Buildings Department, West Godavari District,
Eluru and two others.

... Respondents.

Counsel for the petitioners: Sri P.Govinda Reddy.

Counsel for the respondents: Govt. Pleader for Roads and Buildings.

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HONOURABLE MR.JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.13198 of 2007

ORDER:-

This Writ Petition is filed for a Writ of Mandamus to declare the action of the respondents in not removing the encroachments on the road margin in R.S.No.77 situated to the East of Veeravasaram to Penumantra road at Km.4/6 near Novuduru Centre, Veeravasaram Mandal, West Godavari District, as illegal, arbitrary and unconstitutional. The petitioners also sought for a consequential direction to the respondents to remove the said encroachments.

This Court by order dated 29-6-2007 directed the respondents to clear the encroachments on the road margin within six weeks. Later, the petitioner filed WPMP No.29058 of 2007 seeking amendment of the said order by substituting Survey No.76 with Survey No.77.

Heard Sri P.Govinda Reddy, learned counsel for the petitioners and the learned Government Pleader for Roads and Buildings.

The learned Government Pleader, on instructions, says that since the order dated 29-6-2007 passed by this Court contains Survey No.76, the respondents cleared the encroachments on the road margin of the said Survey No., and that since the petitioner is seeking amendment, the respondents have no objection for the said amendment and they are prepared to take up clearing of encroachments in Survey No.77 if reasonable time is granted to them.

Learned counsel for the petitioners says that the petitioners will be satisfied if the respondents are directed to

clear the encroachments in Survey No.77 within a reasonable period.

In view of the statements of the learned counsel for the parties, the Writ Petition is disposed of with a direction to the respondents to clear the encroachments on the road margin comprised in Survey No.77 situated to the East of Veeravasaram to Penumantra road at Km.4/6 near Novuduru Centre, Veeravasaram Mandal, West Godavari District, within a period of four weeks from the date of receipt of a copy of this order.

C.V.NAGARJUNA REDDY,J
19-11-2007

Note:
Issue CC in one week.
(BO)

MNR